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10 *Attorney for Rocktop Partners, LLC; and Wilmington Savings Fund Society, FSB, as Trustee of*  
11 *Stanwich Mortgage Loan Trust A*

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 ROCKTOP PARTNERS, LLC; and  
15 WILMINGTON SAVINGS FUND SOCIETY,  
16 FSB, as Trustee of Stanwich Mortgage Loan  
17 Trust A,

18 Plaintiffs,

19 vs.

20 SFR INVESTMENTS POOL 1, LLC, a  
21 Nevada limited liability company; and  
22 ANTHEM COUNTRY CLUB COMMUNITY,  
23 ASSOCIATION, a Nevada nonprofit  
24 corporation,

25 Defendants.

Case No. 2:17-cv-00604-RFB-NJK

Case No. 2:17-cv-00916-RFB-NJK

**UNOPPOSED MOTION TO EXTEND  
DISCOVERY AND RELATED CASE  
DEADLINES**

[First Request Under Current Discovery  
Plan/Scheduling Order]

26 SFR INVESTMENTS POOL 1, LLC, a  
27 Nevada limited liability company,

28 Counter/Cross-Claimant,

vs.

ROCKTOP PARTNERS, LLC;  
WILMINGTON SAVINGS FUND SOCIETY,  
FSB, as Trustee of Stanwich Mortgage Loan  
Trust A; LEON BENZER, an individual; and  
UNITED STATES OF AMERICA,

Counter/Cross-Defendants.

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEON BENZER; SFR INVESTMENTS POOL  
1, LLC; ROCKTOP PARTNERS, LLC;  
WILMINGTON SAVINGS FUND SOCIETY,  
FSB, as Trustee of Stanwich Mortgage Loan  
Trust A; ANTHEM COUNTRY CLUB  
COMMUNITY ASSOCIATION; and  
REPUBLIC SILVER STATE DISPOSAL  
INC.,

Defendants.

ROCKTOP PARTNERS, LLC; and  
WILMINGTON SAVINGS FUND SOCIETY,  
FSB, as Trustee of Stanwich Mortgage Loan  
Trust A,

Counter/Cross-Claimants,

vs.

UNITED STATES OF AMERICA; LEON  
BENZER, an individual; SFR INVESTMENTS  
POOL 1, LLC, a Nevada limited liability  
company; and ANTHEM COUNTRY CLUB  
ASSOCIATION, a Nevada corporation,

Counter/Cross-Defendants.

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The undersigned counsel of record has conferred with all participating parties' counsel of record, all of whom do not oppose a 60-day extension to the discovery deadline. With the discovery deadline being extended, Plaintiffs further respectfully request that the dispositive motions deadline be extended 30 days following close of discovery and the joint pretrial order deadline be extended 30 days following the dispositive motions deadline or 30 days following the last decision on any dispositive motions.

Extensive discovery has previously been completed in this case. Most recently on April 6, 2021, this Court entered an amended scheduling order setting the close of discovery for June 10, 2021. (ECF No. 372 at 7:3-5). This extension was given for a number of reasons including: (a) for Rocktop and Wilmington to respond to the United States and SFR's pending discovery requests and produce non-privileged documents response to motion to compel by April 20, 2021; and (b) for Rocktop and Wilmington to produce a privilege log by April 6, 2021 with any objections due 14 days thereafter. (Id. at 4-5). To the best of undersigned counsel's understanding, Plaintiffs' prior counsel of record complied and completed this discovery without objection.

On April 27, 2021, the United States served another round of written discovery on both Rocktop and Wilmington, including 18 requests for admissions and two interrogatories. Additionally on May 7, 2021, the United States served a Rule 30(b)(6) Notice of Deposition of

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1 both Rocktop and Wilmington that seeks testimony on over 200 documents, Plaintiffs' attempts to  
2 foreclose on the property at issue, the basis for the responses to the April 27 written discovery, and  
3 the maturity date of one of the loans at issue. This deposition is currently set for June 1, 2021.  
4 SFR also served a joinder to this notice of deposition on May 13, 2021.

5 **III. Reasons Why Current Discovery Deadline Cannot be Satisfied.**

6 Plaintiffs respectfully submit that good cause exists to extend the current discovery  
7 deadline in light of the newly propounded discovery from the United States and Plaintiffs recent  
8 change of counsel. Plaintiffs worked to substitute in their new counsel of record shortly after they  
9 complied with the remaining outstanding discovery under the current amended scheduling order  
10 (ECF No. 372). Indeed, Rocktop executed its Substitution of Counsel on April 29, 2021 (*see* ECF  
11 No. 377) and Wilmington executed its Substitution of Counsel on May 3, 2021 (*see* ECF No. 378).  
12 However, in the interim the United States served additional written discovery on both Rocktop and  
13 Wilmington and then set their Rule 30(b)(6) depositions after the substitutions had been filed.

14 Plaintiffs' new counsel is currently working on obtaining prior counsel's complete  
15 discovery file, including the 200 documents at issue in the pending discovery requests, in order to  
16 adequately respond to the new written discovery and notice of deposition. This has proved to be  
17 a time consuming and voluminous task given the lengthy and complex history of this case.  
18 Plaintiffs have also requested courtesy copies of the 200 documents from the United States, which  
19 is also in the process of complying with the courtesy request. Plaintiffs will need to thoroughly  
20 review these documents as well as prior discovery responses and disclosures before responding to  
21 the new discovery.

22 Further, Plaintiffs' new counsel is currently waiting on witness availability to appear for  
23 the deposition. The United States has indicated it is amenable to working out a more convenient  
24 date for the deposition and would like to receive the written discovery responses beforehand since  
25 some of the topics are predicated on the responses.

26 Of course, Plaintiffs' new counsel has consulted with all actively participating parties'  
27 counsel of record about a 60-day extension so that Plaintiffs have sufficient time to adequately  
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1 prepare appropriate responses to the new written discovery and notice of deposition. Such parties  
2 have agreed to a 60-day extension.

3 **IV. Proposed Schedule for Completing Remaining Discovery.**

4 Plaintiffs propose that all remaining discovery be completed on or before August 9, 2021,  
5 and that the dispositive motion deadline be extended 30 days thereafter to September 8, 2021 with  
6 a joint pretrial order due October 7, 2021 or 30 days from the date of the last decision on any  
7 dispositive motions.

8 DATED this 20th day of May, 2021.

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10 WRIGHT, FINLAY & ZAK, LLP

11 */s/ Jory C. Garabedian*

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19 *Attorney for Rocktop Partners, LLC; and*  
20 *Wilmington Savings Fund Society, FSB, as Trustee*  
21 *of Stanwich Mortgage Loan Trust A*

18 **Order**

19 **IT IS SO ORDERED**

20 **DATED:** 2:49 pm, May 24, 2021

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23 **BRENDA WEKSLER**  
24 **UNITED STATES MAGISTRATE JUDGE**  
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